

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NO. 03CV12216-MLW

)  
EASTERN CONTRACTORS, INC. )  
Plaintiff )  
 )  
v. )  
 )  
CITY OF WORCESTER, and THOMAS )  
R. HOOVER, City Manager, and )  
HEERY INTERNATIONAL, INC. and )  
THOMAS A. ELLIS, )  
Defendants )  
)

**STIPULATION AS TO DEPOSITION OF HOOVER**

Plaintiff Eastern Contractors and Defendant City of Worcester ("Worcester") and Thomas R. Hoover, City Manager ("Hoover"), hereby stipulate that the grounds previously advanced by Worcester in support of its already-filed motions for protective orders in this lawsuit, as well as the grounds previously advanced by Plaintiff in support of its already-filed oppositions to those motions, shall again be advanced, by and through this stipulation, in response to Plaintiff's deposition of Hoover scheduled for Wednesday, June 15, 2005. This stipulation is being filed in lieu of Worcester and Hoover's filing an additional motion for a protective order as to that deposition, as well as Plaintiff's filing an additional opposition thereto. The parties agree that rulings by this Court, if any, as to

Worcester's already-filed motions for protective orders will, as to the grounds advanced in those motions and in the oppositions thereto, also govern the deposition of Hoover.

EASTERN CONTRACTORS, INC.  
By its attorneys,

CITY OF WORCESTER and  
THOMAS R. HOOVER,  
City Manager  
By their attorneys,  
David M. Moore  
City Solicitor

/s/Sabatino F. Leo  
George C. Deptula, Esquire  
(BBO#120820)  
Sabatino F. Leo, Esquire  
(BBO#642302)  
Vena, Riley, Deptula, LLP  
250 Summer Street, 2<sup>nd</sup> Floor  
Boston, MA 02210  
(617) 951-2400

/s/Donald V. Rider, Jr.  
Donald V. Rider, Jr.  
Assistant City Solicitor  
(BBO#549777)  
City Hall, Room 301  
455 Main Street  
Worcester, MA 01608  
(508) 799-1161

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I have served the within document upon all parties of record by mailing a copy of the same, by first class mail, to George C. Deptula, Esquire, Vena, Riley, Deptula, LLP, 250 Summer Street, 2<sup>nd</sup> Floor, Boston, MA 02210; and Warren D. Hutchison, Donovan Hatem, LLP, Two Seaport Lane, Boston, MA 02210 this 13th day of June, 2005.

/s/Donald V. Rider, Jr.  
Donald V. Rider, Jr.  
Assistant City Solicitor